

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

477 WEST 142ND STREET HOUSING
DEV. FUND CORP.,

Debtor

Plaintiff,

Chapter 11

Case No.: 15-12178 (SHL)

Adversary Proceeding No.
20-01004 (SHL)

NOTICE OF APPEAL
FROM AN ORDER OF THIS
COURT DENYING MOTION
OF QUEEN MOTHER DR.
DELOIS BLAKELY ENTERED
ON AUGUST 11, 2020

NOTICE OF APPEAL,,

FROM AND ORDERED, AND DECREED THAT THE COMPLAINT IS
HEREBY DISMISSED OF THIS COURT DENYING MOTION OF QUEEN
MOTHER DR. DELOIS BLAKELY AND HER DAUGHTER INI'CHINWA
THOMAS ENTERED ON AUGUST 11, 2020 ADVERSARY PROCEEDING
NO. 20-01004 (SHL)

PLEASE TAKE NOTICE, that, Queen k4other Dr. Delois Blakely, hereby appeal to the United States Courts of Appeals for the Second Circuit from AN ORDER OF THIS COURT MADE BY THE HONORABLE SEAN H. LANE, U.S.B.J., ON AUGUST 11 2020,

denying her motion seeking certain relief pertaining to the acts and conduct of Gregory Messer, The Chapter 11 Trustee in negation of equitable fairness and justice, and to set aside a previous ORDER of this court made or entered JUNE 8, 2020.

IDENTITY OF OTHER PARTIES TO THIS APPEAL:

TED DONOVAN
GOLDBERG WEPRIN
FINKEL GOLDSTEIN LLP
1501 BROADWAY,
22ND FLOOR
NEW YORK, NY 10036

ADAM P. WOFSE, ESO
LaMONICA HERBST & MANISCALCO, LLP
A PARTNER OF THE FIRM
3305 JERUSALEM AVENUE
SUITE 201
WANTAGH, NY 11793
ATTORNEYS FOR TRUSTEE, GREGORY MESSER

BRIAN S. MASUMOTO
OFFICE OF THE UNITED STATES TRUSTEE
U.S. FEDERAL OFFICE BUILDING
201 VARICK STREET
SUITE 1006
NY, NY 10014.

Dated: New York, New York
August 20, 2020

Queen Mother Dr. Delois Blakely
By *Blakely*
Queen Mother Dr. Delois Blakely
477 West 142" street
Suite #2
New York, NY 10031
(212) 368-3739

State of New York, County of New York
NEW YORK NOTARY PUBLIC

MY COMMISSION EXPIRES

December 27, 2022

JULIAN M. HILL
Notary Public, State of New York
No. 01HI6233785
Qualified in New York County
Commission Expires Dec. 27, 2022

SERVICE LIST

HONORABLE SEAN H. LANE
UNITED STATES BANKRUPTCY JUDGE
UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
ONE BOWLING GREEN
NY, NY 10004

BROOKLYN, NY 11211

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 11

477 West 142nd Street Housing Development
Fund Corp.,

Case No. 15-12178 (SHL)

Debtor.
-----X

Queen Mother Dr. Delois Blakely,

Plaintiff,

Adversary Proceeding No.
20-01004 (SHL)

- against -

Amsterdam Key Associates LLC,

Defendant.
-----X

ORDER DISMISSING COMPLAINT

Upon the motion (the "Motion") of Amsterdam Key Associates LLC (the "Defendant") seeking to dismiss the complaint filed by Queen Mother Dr. Delois Blakely ("Blakely") and her daughter, Ini'Chinwa Thomas ("Thomas", and jointly with Blakely, the "Plaintiffs"); and a status conference having been held on March 5, 2020, and the Defendant having appeared by counsel, and the Plaintiffs having appeared by Blakely; and the Court having directed Plaintiffs to file written opposition to the Motion, and scheduled oral argument on the Motion for April 23, 2020 with the consent of all parties; and a telephonic hearing having been held on April 23, 2020; and the Plaintiff and the Chapter 11 Trustee, Gregory Messer, having each appeared by their respective counsel; and the Defendants having failed to file opposition to the Motion or to appear at the April 23, 2020 hearing; and the Plaintiff having rested on his papers; and the Court having duly considered all of the papers filed in connection with the Motion and all of the prior proceedings in this Adversary and in the underlying Chapter 11 case; and after due deliberation

consent of all parties; and a telephonic hearing having been held on April 23, 2020; and the Plaintiff and the Chapter 11 Trustee, Gregory Messer, having each appeared by their respective counsel; and the Defendants having failed to appear; and the Plaintiff having rested on his papers; and the Court having duly considered all of the papers filed in connection with the Motion and all of the prior proceedings in this Adversary and in the underlying Chapter 11 case; and after due deliberation the Court having issued a Memorandum of Decision dated June 8, 2020 setting forth the Court's findings of fact and conclusions of law;

NOW, THEREFORE, it is

ORDERED, ADJUDGED, AND DECREED that

1. Plaintiff shall have judgment against the Defendants declaring that Blakely and Thomas do not retain any residual occupancy, possessory or leasehold rights in the real property known as 477 West 142nd Street, New York, NY (the "Property") or any apartment thereat.
2. Plaintiff shall have judgment against the Defendants jointly and severally for unpaid rent for the period from February 1, 2018, when Plaintiff acquired title to the Property, calculated at \$1,200 per month, through the date of this Order and Judgment, or \$36,000.00 (\$1,200 times 30 months = \$36,000).
3. Plaintiff shall have judgment against the Defendants dismissing all counterclaims asserted by the Defendants against the Plaintiff with prejudice.

Dated: New York, NY
August 11, 2020

/s/ Sean H. Lane
United States Bankruptcy Judge